November 19, 2013

Clarke County Board Of Supervisors Regular Meeting Main Meeting Room

1:00 p.m.

At a regular meeting of the Board of Supervisors of Clarke County, Virginia, held in the Berryville Clarke County Government Center, 101 Chalmers Court, 2nd Floor, Berryville, Virginia on Tuesday, November 19, 2013.

Board Members Present

J. Michael Hobert; Bev McKay; John Staelin; David Weiss

Board Members Absent

Barbara Byrd

Staff Present

David Ash; Tom Judge; Brandon Stidham; Alison Teetor; Lora B. Walburn

Others Present

Ed Carter; Clif Balderson; Michelle Graham; Gem Bingol; Val Van Meter

1) Call to Order

Chairman Hobert called the afternoon session to order at 1:03 p.m.

2) Adoption of Agenda

By consensus, the Board adopted the agenda as presented.

3) Citizens Comment Period

No citizens appeared to address the Board.

4) VDOT

Ed Carter, Assistant Residency Administrator, appeared before the Board of Supervisors to present the monthly report.

Maintenance – October:

- Completed full width mowing on primary routes 340 N and 7;
- Performed shoulder repair at various locations along Rt. 7 and Rt. 611;
- Removed hazardous trees on various routes;
- Performed carcass removal (significant increase this time of year averaging 6-8 per day)

Maintenance - November:

- Perform full width mowing on primary routes 50 and 340 (two lane);
- Continue shoulder repairs along Rt. 611;
- Conduct brush removal operations on east bound ramp Rt. 7 to Rt. 340 and Rt. 7 business east end;
- Perform tree trimming on Rt. 621 and remove hazardous trees on routes 657, 604 and 641:
- Continue responding to increased carcass removal for the deer population.

Projects:

- Stream bank repair on Rt. 606 Contractor and VDOT soil engineer have revisited site
 and found that the spring/summer rains have worsened the situation. The estimate has
 increased by \$40k \$70k. Funding issue has been resolved with consent of the Board.
- Turning Lane Rt. 340/657 Awaiting advertisement. Planned add date is January 2014.
- Rt. 636, Westwood Rd. In design.

Supervisor Comments:

Vice Chairman David Weiss:

 Lockes Mill Road: Ed Carter advised that preliminary analysis performed by the traffic engineering division did not support speed reduction. He suggested placement of cautionary signs, while not legally enforceable, do not require traffic engineering approval.

Supervisor John Staelin

Route 255: VDOT's Central Office is addressing with third-party providers the issue with GPS instructions sending trucks down this, and other such unsuitable roads. Until the matter can be resolved with these third-party providers, Ed Carter suggested placing cautionary signs stating that this route is not recommended for trucks over 30 feet.

<u>VDOT - Route 606 River Road at Saw Mill Hill Bridge Stream Bank Repair Rt. 606, UPC105007</u>

Ed Carter advised that VDOT would need a formal letter conveying the Board's approval of the funds transfer at its November 13 meeting.

Additional Fine for Speeding

David Ash advised that he had spoken with Supervisor Byrd regarding the speed study performed by the Sheriff. The study did not find a significant speeding problem; and those speeding were only in excess of two to three miles over the limit. Supervisor Byrd will speak to her constituents before proceeding further.

White Post Repair

Clif Balderson updated the Board. Highlights include:

- White Post Restorations took the French Brothers to court over payment of the cost to repair but the judge refused to hear the matter because White Post Restorations was not the owner/responsible party.
- White Post Restorations has billed VDOT for the repair.
- Once the bill is processed, VDOT will bill the responsible party.
- VDOT gave David Ash a permit application prior to the meeting that would transfer ownership of the White Post to the White Post Village Association and Clarke County, should they be amenable.
- Further review will be held at a future work session.

5) Clarke County Public Schools Update

Michael Murphy, CCPS Superintendent, did not appear before the Board of Supervisors to provide monthly update.

Chairman Hobert advised that he had received notice in advance that Mike Murphy would not be attending and that the matter would be discussed further with the School Board Chair.

Chairman Hobert announced that this was National Education Week.

6) Approval of Minutes

Supervisor Staelin moved to approve the minutes for the October 15, 2013 Regular Meeting as presented. The motion carried by the following vote:

Barbara J. Byrd - Absent
J. Michael Hobert - Aye
Beverly B. McKay - Aye
John R. Staelin - Aye
David S. Weiss - Aye

Chairman Hobert noted that the October 15, 2013 regular meeting minutes contained the letter communicating the Board's primary road improvement priorities to VDOT. However, based on information John Staelin garnered while attending a recent public hearing, Brandon Stidham was tasked with revising the Board's earlier submission specifically the Intersection of US Route 304 and US Routes 50/17 [Waterloo] and Intersection of US Route 340/277 and US Route 522 [Double Tollgate].

November 19, 2013 - REVISED SUBMISSION

Programming Director Virginia Department of Transportation 1401 East Broad Street Richmond, VA 22207

The Clarke County Board of Supervisors has reviewed its priorities for primary road improvements in the County and requests the Commonwealth Transportation Board (CTB) to allocate available funds accordingly. The following list of projects has been presented to the CTB over the past several years and we request that you continue to consider them for funding in your current deliberations on the Statewide Six Year Improvement Program.

• Intersection of US Route 340 (Lord Fairfax Highway) and US Routes 50/17 (John Mosby Highway) at Waterloo. This project was first added to our priorities list in 1992. Partial funding for engineering design was approved (UPC 54384) and we ask for full funding to complete the design phase of the project. This intersection serves as a major commercial growth area for the County and additional safety and capacity improvements are necessary to facilitate economic development. Having a complete, VDOT-approved engineering plan in place for this intersection would enable us to better negotiate developer-funded improvements via proffer or in conjunction with a traffic impact analysis as new development occurs.

- Route 7 (Harry Byrd Highway) and Route 612 (Shepherds Mill Road) intersection, 3 miles east
 of Berryville. This intersection experiences high traffic volumes as a commuter route and has
 serious safety issues due to insufficient sight distance and substandard turn lanes.
- Intersection of US Route 340/277 (Lord Fairfax Highway) and US Route 522 (Stonewall Jackson Highway) at Double Tollgate. This project was first added to our priorities list in 1997. This dangerous intersection experienced an over 30% increase in traffic since 2001 and has insufficient turn lanes and through lane capacity. We are asking for funding to complete the design phase of this project both to correct existing safety issues and to expand capacity to support future development. This intersection serves as a deferred growth area contingent upon future completion of infrastructure improvements including transportation. Having a complete, VDOT-approved engineering plan in place would help us to facilitate economic development at this intersection and would also enable us to better negotiate developer-funded improvements via proffer or in conjunction with a traffic impact analysis as new development occurs.
- Route 7 Business (West Main Street) on the west side of Berryville (approximately 1.2 miles of primary highway). This project was first added to our priorities list in 1992. This section of Route 7 Business serves four public schools, the County's Parks and Recreation Facility, and the Ruritan Fairgrounds. The current two-lane section should be upgraded to three lanes with turn lanes, drainage, and safety improvements at major intersections, and sidewalks and bike lanes/trails should be added to facilitate pedestrian and bicycle traffic.
- US Route 340 (Greenway Avenue) Drainage Issues in the Town of Boyce. This project was first added to our priorities list in 2003. The project is necessary in order to replace existing drainage swales that are insufficient to handle runoff from US Route 340 and cause frequent flooding on nearby properties.
- Route 7 Business (East Main Street) on the east side of Berryville (approximately 0.94 miles of primary highway). This project has been on our list of priorities since 1995. The roadway serves as a major route for truck traffic to several industrial businesses on the east side of town including the County's industrial park and a major (800 employees) publishing company. The current two-lane section should be upgraded to three lanes with turn lanes, sidewalks, drainage, and safety improvements at major intersections.
- Park and Ride Lot, Route 7 (Harry Byrd Highway) near intersection of Route 7 Business one
 mile west of Berryville. Commuter traffic has increased more than 50% along this route since
 2001. Alternatives to single-occupancy vehicle commuters must be developed and a park and
 ride lot at this location would help to reduce commuter congestion on Route 7.

The above projects are prioritized in our County's current (2007) Comprehensive Plan as well as in our draft 2013 Comprehensive and Transportation Plans that are under review. We have enclosed a copy of the draft 2013 Transportation Plan containing detailed project descriptions and planning-level cost estimates for your reference. Please note that our draft 2013 Comprehensive and Transportation Plans were recently approved by VDOT staff as being in full compliance with Chapter 729 of the 2012 Acts of Assembly.

We realize that the Commonwealth's transportation improvements are being made within severe financial limitations but we also feel strongly that these projects are of significant benefit to the Commonwealth as well as Clarke County. We also want to emphasize that County has been extremely judicious with our local six year plan funding provided by the Commonwealth. In recent

years, we have focused our limited dollars on needed safety improvements such as installation of a turn lane at US Route 340 and Route 657 (Senseny Road) to remedy a dangerous intersection and to improve substandard gravel state-maintained roads through Pave-in-Place and Rural Rustic programs. Unfortunately, the projected \$217,000 allocation of local six year funds and \$579,000 for unpaved roads for FY2014-2019 will be insufficient to cover our upcoming secondary road needs. Inflexible rules regarding the use of different "pools" of State and Federal funds also prevent us from applying these monies to any of our project priorities listed above.

We welcome the opportunity to work with VDOT, the CTB, and our state legislators to identify new sources of transportation funds and to diversify existing funding sources to better meet the needs of rural jurisdictions like Clarke County.

Regards,

Michael Hobert, Chairman

cc: F. Dixon Whitworth, CTB Member (Staunton District)
Delegate-Elect Dave LaRock

Senator Jill Vogel Delegate J. Randy Minchew

7) Consent Agenda

A. Acceptance Abstract of Votes Election 2013

Supervisor Staelin moved to approve Item A on the Consent Agenda. The motion carried by the following vote:

Barbara J. Byrd - Absent
J. Michael Hobert - Aye
Beverly B. McKay - Aye
John R. Staelin - Aye
David S. Weiss - Aye

8) Personnel Committee Items

A. Expiration of Term for appointments expiring through December 2013.

11/13/2013 Summary: The Committee recommends the following appointments:

- Reappoint Laure Wallace to the Conservation Easement Authority to serve a 3-year term expiring 12/31/2016.
- Reappoint Randy Buckley to the Conservation Easement Authority to serve a 3-year term expiring 12/31/2016.
- Reappoint Jim Barb to the Economic Development Advisory Committee to serve a 4-year term expiring 12/31/2017.

- Reappoint Tony Roper to the Old Dominion Alcohol Safety Action Policy Board and Division of Court Services to serve a 3-year term expiring 12/31/2016.
- Reappoint Tony Roper to the Old Dominion Community Criminal Justice Board to serve a 3-year term expiring 12/31/2016.
- Reappoint Daniel Sheetz to the Parks and Recreation Advisory Board to serve a 4-year term expiring 12/31/2017.
- Reappoint A.R. Dunning Jr. to the Clarke County Sanitary Authority to serve a 4-year term expiring 1/5/2018.

11/19/2013 Summary: Vice Chairman Weiss moved to approve the recommends of the Personnel Committee as presented. The motion carried by the following vote:

Barbara J. Byrd - Absent
J. Michael Hobert - Aye
Beverly B. McKay - Aye
John R. Staelin - Aye
David S. Weiss - Aye

B. <u>Personnel Policy Draft Review</u>

11/13/2013 Summary: The Committee further reviewed the draft and asked the County Administrator to provide them with additional information as it became available and to identify additional issues as they become known.

11/13/2013 Summary: No action taken.

9) Work Session – Morning Session Items

A. White Post Dairy Update

- 11/13/2013 Summary: Gary Genske, Member, White Post Dairy, LLC, updated the board on the status of work reporting that as of this date the only remaining issue to be resolved with DEQ is access to the adjacent property for purposes of accessing the manure storage pit and monitoring groundwater well No. 2. Mr. Genske provided the Board with additional photographs and an engineered plat depicting the encroachment.
- 11/19/2013 Summary: The Board discussed ways it might address future issues noted that agricultural structures, such as barns, have set backs but lagoons, not currently classified as a structure, are not subject to these requirements.

Chairman Hobert instructed Brandon Stidham to have the Planning Commission review lagoons and offer recommendations.

B. Boyce Elementary School Utility Easement

11/13/2013 Summary: Ron Mislowsky attended the Work Session and updated the Board on the status of the proposed gravity sewer line crossing the Boyce Elementary School property. The Board members agreed that a gravity sewer constructed substantially within the route proposed by Mr. Mislowsky appeared to be acceptable to the Board.

Supervisor Staelin was authorized to communicate to the Clarke County Sanitary Authority and the School Board the Board of Supervisors concurrence in this proposed route.

11/19/2013 Summary: No action taken.

C. VDOT – Route 606 River Road at Saw Mill Hill Bridge

11/13/2013 Summary: Steve Damron, VDOT representative, updated Board members on the need for additional funds to complete the bridge replacement on Route 606 at Saw Mill Hill.

Supervisor Staelin moved to approve allocation of additional funds from the Ebenezer Road project in order to complete this project in a timelier manner. The motion carried by the following vote:

Barbara J. Byrd - Absent
J. Michael Hobert - Aye
Beverly B. McKay - Aye
John R. Staelin - Aye
David S. Weiss - Aye

11/19/2013 Summary: See Item 4 VDOT for additional comment.

D. Energy Report

11/13/2013 Summary: Due to a scheduling conflict, Alison Teetor was unable to provide the update at the Work Session. The Board continued review to its November 19, 2013 regular meeting.

11/19/2013 Summary: Alison Teetor provided a brief presentation of the energy program. Highlights include:

- BCCGC, the newest building, has the highest cost per foot. Potential reasons:
 - Ongoing HVAC issues. Anticipate improvements following the completion of the retrofit in September 2013.
 - Most intensively populated building in the County. Data gathered includes usage by the Clarke County Library and the Town of Berryville.
- The Schools opted out of the energy program. Mike Murphy indicated that the School Board did not support the project.
- Program cost is \$2,370 annually. This does not include staff time to gather the data, perform the input and analyze the data – approximately 40 hours every six months. Plant Footprint does all the analysis and input for the online data.
- Staff recommends renewing the annual contract. If the County eliminates water and fleet analysis, the cost would decrease to less than \$2,000 per year.
 - Fleet Analysis: Currently using Manfield System, a state program. The County has 29 vehicles. Each vehicle is issued an ID card and the code, with mileage, must be entered for all purchases. The system also alerts if the vehicle is used differently.
- Staff recommends adding occupancy sensors, additional insulation. Focus areas would be 311 East Main Street - Social Services; 100 North Church Street - Sheriff's Office; 102 North Church Street - Circuit Court [reported as Administration]; 104 North Church Street - General District Court.
- By consensus, the Board agreed to use the current system in the next year.
- Staff will provide usage comparisons of similarly sized buildings with the next update.

Tree-Planting Project – Town of Berryville

Alison Teetor informed the Board that she has been involved in several treeplanting projects most recently one in the Town of Berryville.

- A row of 10 trees was planted along the bike path from the storm water retention area toward the high school.
- The Center for Watershed Protection secured grant funds from the Chesapeake Bay Foundation to buy the trees.
- Five trees were purchased from Moore and Dorsey, who provided free delivery.
- Casey Trees donated five 20-foot trees and free delivery to the site.
- Clermont provided the auger free of charge and dug the holes.

High School Agriculture students helped with the planting.

Alison Teetor advised that the trees were dormant now and would not need water through the winter.

Supervisor Staelin noted the potential need to water should there be a warm period during the winter months.

Chairman Hobert suggested alerting the Town of Berryville and the Schools about the possible need to water the trees and creating a team of interested persons. Ms. Teetor agreed to work with the Town and Schools on this matter.

10) Finance Committee Items

1. Reminder Spout Run Public Hearing.

There will be a public hearing on November 19 regarding an additional grant for the cleanup of the Spout Run Watershed. The Committee requested that agreements between the County of Clarke and the various agencies participating in both this grant and the Fish and Wildlife grant be developed, approved, and executed.

11/19/2013 Summary: See Agenda Item 20

2. FY 14 Supplemental Appropriations.

<u>Social Services Carryover request</u>. Please find attached a request for expenditure of unused FY 13 local transfer authority of \$30,000 for compensatory leave, termination pay, and purchase of a fax machine component. The Finance Committee recommended approval of the termination pay and fax machine components of this request, and requested further information on the compensatory leave component. "Be it resolved that FY 14 budgeted expenditure for the Department of Social Services be increased \$13,000, and the same appropriated, \$12,000 for an employee pay out, and \$1,000 for a fax machine component, and be further resolved that the designation for government savings be reduced in the same amount."

11/19/2013 Summary: Tom Judge explained that the fax machine also functions as a copier.

Supervisor McKay moved to approved the recommendation of the Finance Committee "Be it resolved that FY 14 budgeted expenditure for the Department of Social Services be increased \$13,000, and the same appropriated, \$12,000 for an employee pay out, and \$1,000 for a fax machine component, and be further resolved that the designation for government savings be reduced in the same amount. ". The motion carried by the following vote:

Barbara J. Byrd - Absent
J. Michael Hobert - Aye
Beverly B. McKay - Aye
John R. Staelin - Aye
David S. Weiss - Aye

3. Acceptance of Bills and Claims

11/19/2013 Summary: The Finance Committee recommends acceptance of the October Bills and Claims.

11/19/2013 Action: Supervisor McKay moved to accept the October bills and claims. The motion carried by the following vote:

Barbara J. Byrd - Absent
J. Michael Hobert - Aye
Beverly B. McKay - Aye
John R. Staelin - Aye
David S. Weiss - Aye

4. Standing Reports

FY2014 General Fund Balance, Reconciliation of Appropriations FY2014; General Government Expenditure Summary, General Government Capital Projects

11) Joint Administrative Services Board Update

Tom Judge summarized the items of interest under review by the Joint Administrative Services Board.

- Pay and Classification Study / Update:
 - The School Board approved a pay and classification study at an approximate cost of \$18,000 to \$20,000.
 - Just as the County did in its 2008 study, the Schools will be developing job descriptions.
 - Analyzing staffing efficiencies is not a component of the study.
 - The Schools will open proposals on December 3.
 - The County approved an update to its pay and classification structure at an approximate cost of \$7,500.

 For consideration in the FY2015 budget, a March completion is anticipated for both studies.

Board Discussion:

- Supervisors McKay, Staelin and Weiss raised objections to using salaries from jurisdictions to the east for comparison.
- Chairman Hobert stated that the County could chose not to compete with wealthier counties.
- Supervisor Staelin remarked that not including stipends and masters supplements skews School salaries. He stated that Clarke's masters supplements were very competitive and significantly higher many other jurisdictions.
- Want to have update completed by March to include in upcoming FY2015 budget.

ERP

- JAS Board met on November 14 to review the three proposals, as well as the two vendor proposals to assist with the evaluation and negotiation of the contract.
- The JAS Board decided to let staff study the vendors to decide if assistance is necessary.
- The Request for Quotes required that the vendor list the number of Virginia customers.

Affordable Care Act

- UVA, as well as UPS longer provide spousal coverage.
- Loudoun County may be increasing the premium for spousal coverage.
- Clarke's insurance will be up for renewal in February.

12) Work Session – November 13, 2013 Evening Session Items

Board Members Present: J. Michael Hobert; Bev McKay; John Staelin; David Weiss

Board Members Absent: Barbara Byrd

Staff Present: Brandon Stidham, David Ash

A. <u>Discussion, 2013 Comprehe</u>nsive Plan

11/13/2013 Action: The Board proposes to set Public Hearing on the 2013 Comprehensive Plan at the December 17, 2013 meeting for the evening session of their January 2014 regular monthly meeting -- Tuesday, January 21, 2014.

B. <u>Discussion</u>, 2013 Transportation Component Plan

11/13/2013 Action: The Board proposes to set Public Hearing on the 2013 Transportation Component Plan at the December 17, 2013 meeting for the evening session of their January 2014 regular monthly meeting -- Tuesday, January 21, 2014.

C. Discussion, Setting Public Hearing for Both Plans

11/13/2013 Action: The Board discussed and deferred setting public hearing on both plans to after the first of the year to promote greater attendance.

D. Adjourn

11/13/2013 Action: Chairman Hobert adjourned the Evening Work Session at 8:20 pm.

13) Government Projects Update

The monthly project update was provided by David Ash. Highlights include:

101 Chalmers Court – HVAC Retrofit

- Notified the Maintenance Director of the fan problem in the Main Meeting Room during the meeting, which was corrected before the end of the afternoon session.
- County Attorney Bob Mitchell forwarded a status inquiry to the architect with a request for a response in 30 days.
- Vice Chairman Weiss advised that he had conveyed to the Joint Building Committee the Supervisors' desire to move the matter forward.

14) Miscellaneous Items

The Board identified no miscellaneous items.

15) Summary of Required Action

<u>Item</u>	<u>Description</u>	Responsibility
1.	Provide formal letter of funds transfer to VDOT re Route 606 River Road at Saw Mill Hill Bridge Stream Bank Repair Rt. 606, UPC105007	David Ash
2.	Follow up with VDOT on signs directing trucks from 255.	David Ash

<u>Item</u>	<u>Description</u>	Responsibility
3.	Follow up with VDOT on custodianship of the White Post.	David Ash
4.	Process approved minutes and update website.	Lora B. Walburn
5.	Update appointment database and send notice of appointment.	Lora B. Walburn
6.	Execute notices of appointment.	J. Michael Hobert
7.	Coordinate Planning Commission review and make recommendation of the addition of lagoons to structure definition.	Brandon Stidham
8.	Communication between Supervisors and School Board Chairs: ERP system, recently planted trees by the bike bath, and the energy management program.	J. Michael Hobert
9.	Follow up on fire and emergency rescue group suggestions to see if there are any proposals from state associations for legislation that would make things less difficult for volunteers	Brandon Stidham
10.	Follow up with Schools and Towns on tree care.	Alison Teetor

16) Board Member Committee Status Reports

Supervisor Beverly McKay:

NSVRC: Working on priorities. Brandon Stidham provided Clarke's list.

Supervisor John R. Staelin:

- Planning Commission: In the matter of the kennel case, constant changes have caused delays.
- Sanitary Authority: Ron Mislowsky provided an update this morning and he will present the plan to the Schools.
- EDAC:
 - Will be reviewing a Rockingham County ordinance specific to agri-tourism and agri-business.
 - Will be reviewing the Artisan Trail Network, a sponsored group of the Artisan Center of Virginia.
- Public Meetings On The Role Of The Soil And Water Conservation Districts:

- Seven public meetings were conducted throughout the Commonwealth.
- Senate Committee on Agriculture, Conservation and Natural Resources; and members of the House Committee on Agriculture, Chesapeake and Natural Resources will investigate which agency could best handle soil and water conservation: Department of Environmental Quality (DEQ); Conservation and Recreation (DCR); or Agriculture and Consumer Services (VDACS).
- DEQ made it clear that Soil and Conservation Districts are not regulatory unless there is a change in legislation and it does not desire to do this.
- Farm organizations have expressed concern that should it go under DEQ it would take a long time to re-establish the current level of trust.

Staunton Meeting VDOT:

- Spoke about financial issues with F. Dixon Whitworth, Stanton District member on the Commonwealth Transportation Board.
- From information garnered at the meeting, Brandon Stidham was tasked with revising the Board's earlier submission specifically the Intersection of US Route 304 and US Routes 50/17 [Waterloo] and Intersection of US Route 340/277 and US Route 522 [Double Tollgate].

Vice Chairman Weiss:

- Conservation Easement Authority: Continues to move forward.
- Fire and Emergency Medical Services Workgroup:
 - Met last night had Warren County's, Mabie, and Mount Weather's, Davis
 - The amount of training and the time involved make this a difficult time for volunteers.
 - Response time is decent and service is good.
 - With the same persons continuing to run calls, burn out is a concern.
 - Looking at what other communities are doing, as well as what the County can afford.
 - Brandon Stidham will be investigating the legal aspects.
 - Board Discussion:
 - Brandon Stidham will follow up on the suggestion to see if there are any proposals from state associations for legislation that would make things less difficult for volunteers.
 - The Board would like to join other communities interested in such legislation.

Chairman Hobert:

- Parks and Recreation Advisory Board:
 - Little League has been raising money install lighting on a back playing field.
 - Upon review, issues were identified with safety, warranties, funds, rock, etc. David
 Ash is drafting a letter to express the County's appreciation and to provide them a
 list of things that need to be addressed to move the project forward.
- Help with Housing and FISH: The Board is invited to attend a ribbon-cutting ceremony at 36 East Main Street at 6 pm Thursday, December 5.

17) Closed Session

A closed session was not convened.

At 3:10, Chairman Hobert recessed the afternoon session.

At 6:30 pm, Chairman Hobert called the evening session to order.

18) Citizens Comment Period

No citizens appeared to address the Board.

19) PH 13-16 TA-13-01

Proposed text amendment to amend section, §3-A-1-b-(3), Maximum Lot Size Exception Criteria, of the Clarke County Zoning Ordinance. This section of the ordinance provides for a maximum lot size exception if the parcel has been placed in conservation easement. The purpose of the text amendment is to require a property owner to retire at least one (1) dwelling unit right (DUR) if the property is being placed in easement in order to qualify for a maximum lot size exception.

Brandon Stidham summarized the proposed text amendment TA-13-01. He advised that County Attorney Bob Mitchell had reviewed the matter.

At 6:33 pm, Chairman Hobert opened the public comment portion of the public hearing. Being no persons present desiring to address the Board, the public hearing was closed.

Vice Chairman Weiss commented that this amendment expressed the intent of the easement and provided clarification.

Supervisor McKay moved to approve the text amendment TA-13-01 as presented. The motion carried by the following vote:

Barbara J. Byrd - Absent
J. Michael Hobert - Aye
Beverly B. McKay - Aye
John R. Staelin - Aye
David S. Weiss - Aye

20) PH 13-17

Amend the FY2014 General Government Capital Projects Fund to increase budgeted expenditure and appropriation by \$316,620 and to estimate revenue from the Environmental Protection Agency in the same amount, all for the purpose of making pollution control improvements to the Spout Run watershed".

Tom Judge reviewed the matter.

Alison Teetor urged the Board to approve the appropriation opining that this project was a good opportunity for the county.

At 6:35 pm, Chairman Hobert opened the public comment portion of the public hearing. Being no persons present desiring to address the Board, the public hearing was closed.

Supervisor Staelin asked about contract discussions.

Tom Judge responded that David Ash, Alison Teetor, Brandon Stidham and he met to discuss contracts. The group discussed the National Fish and Wildlife Grant. Letters of support written by the participating agencies as part of the original grant application included, in most cases, a commitment by those organizations to provide a certain amount of in-kind contribution to the project. Two organizations did not make a specific commitment of resources; however, Alison Teetor will work with them to review their board minutes to gain evidence of that commitment, which would be deemed as sufficient proof

Supervisor McKay moved to approve as presented the proposed amendment of the FY2014 general government capital projects fund to increase budgeted.

The motion carried by the following vote:

Barbara J. Byrd - Absent
J. Michael Hobert - Aye
Beverly B. McKay - Aye
John R. Staelin - Aye
David S. Weiss - Aye

21) Adjournment

There being no further business to be brought before the Board at 6:41 pm Chairman Hobert adjourned the Board of Supervisors meeting.

Next Regular Meeting Date

The next regular meeting of the Board of Supervisors is set for Tuesday, December 17, 2013 at 1:00 p.m. in the Berryville Clarke County Government Center, Main Meeting Room, 101 Chalmers Court, Berryville, Virginia.

ATTEST: November 19, 2013		
	J. Michael Hobert, Chair	
	David L. Ash, County Administrator	

Minutes Recorded and Transcribed by: Lora B. Walburn Deputy Clerk, Board of Supervisors